REMARKS

I. Introduction

In response to the Office Action dated October 11, 2007, Applicants have amended claims 1 and 2. No new matter has been added. Applicants note with appreciation the indication that claims 10 and 15 would be allowable if rewritten in independent form. In view of the foregoing amendments and the following remarks, Applicants respectfully submit that all pending claims are in condition for allowance.

II. Claim Rejections Under 35 U.S.C. §§ 102 and 103

Claims 1 – 4, 11, and 16 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,477,530 to Omata. Claims 5 – 9 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Omata in view of U.S. Patent Application Publication No. 2002/0191764 to Hori. Claims 12 – 14 stand rejected under § 103(a) as allegedly being unpatentable over Omata. Applicants traverse these rejections for at least the following reasons.

Claim 1 recites, among other things, a data storage device comprising a second storage portion storing log information related to the input/output of said classified wherein said log information includes an identification code identifying said classified data to be input/output and a first status information means representing a state of storage of said classified data to be input/output in said first storage portion. Omata fails to disclose at least these features.

The Examiner refers to column 14, line 60 – column 15, line 7 of Omata as allegedly disclosing the first status information recited in claim 1. However, this passages merely describes examples of the content of attribute data. For example, according to Omata, attribute

data may include the file name, file type, original identifier, backup identifier, etc. Omata does not disclose or even suggest that the attribute data represents the state of storage of classified data to be input/output in a first storage portion.

Accordingly, as anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 218 USPQ 781* (Fed. Cir. 1983), and Omata fails to disclose at least the above described elements, it is clear that Omata does not anticipate claim 1.

Claims 2 – 16 depend from claim 1. Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claim 1 is patentable for the reasons set forth above, it is respectfully submitted that all dependent claims are also in condition for allowance.

III. Conclusion

In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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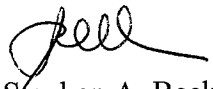

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